

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 taxation and to make an appropriation.
- 4 Page 57, between lines 3 and 4, begin a new paragraph and insert:
- 5 "SECTION 47. IC 6-1.1-21.3 IS ADDED TO THE INDIANACODE
- 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 7 MARCH 1, 2004 (RETROACTIVE)]:
- 8 **Chapter 21.3. Payments in Lieu of Property Taxes**
- 9 **Sec. 1. As used in this chapter, "department" refers to the**
- 10 **department of natural resources.**
- 11 **Sec. 2. As used in this chapter, "PILOT" refers to a payment**
- 12 **in lieu of taxes.**
- 13 **Sec. 3. (a) This chapter applies to a county in which the**
- 14 **department owns acres in the county.**
- 15 **(b) A county is entitled to a PILOT from the department for**
- 16 **land within the county that is:**
- 17 **(1) owned or leased by the department on March 1 of the**
- 18 **previous year; and**
- 19 **(2) exempt from the payment of property taxes.**
- 20 **Sec. 4. On May 1 and November 1 of each year, the department**
- 21 **shall make a PILOT to each county that is entitled to receive a**
- 22 **PILOT under section 3 of this chapter.**
- 23 **Sec. 5. The PILOT required to be paid for a year under section**

4 of this chapter for land described in section 3(b) of this chapter, regardless of how the land is used, equals the product of:

- (1) the statewide agricultural land base rate value for the year in which the PILOT is payable, as determined by the department of local government finance;
- (2) the number of acres subject to the PILOT; and
- (3) the net property tax rate (after application of the property tax replacement credit) in the taxing district in which the land is located for property taxes payable in the year in which the PILOT is payable.

Sec. 6. Not later than September 1 of each year, the auditor of state shall provide the township assessor of each township in which land described in section 3(b) of this chapter is located with a report of:

- (1) the number of acres of land described in section 3(b) of this chapter that are located in the township; and
- (2) any other information required by the department of local government finance;

on a form prescribed by the department of local government finance. However, with the consent of the department of local government finance, the auditor of state may distribute the information required under this section in an electronic format.

Sec. 7. A PILOT:

- (1) is billed;
- (2) is due;
- (3) bears interest if unpaid; and
- (4) is distributed to a political subdivision within a county;

in the same manner as ad valorem property taxes. A PILOT is treated in the same manner as a property tax for purposes of the procedural and substantive provisions of law.

Sec. 8. The department of local government finance:

- (1) shall prescribe a form for the transfer of information required under section 6 of this chapter; and
- (2) may adopt standards for reporting information under section 6 of this chapter that are necessary to assist:
 - (A) townships;
 - (B) counties; and
 - (C) conservancy districts;

with the implementation of this chapter.

Sec. 9. (a) The PILOT transfer fund is established for the purpose of providing money for the distributions for payments in lieu of property taxes made by the department under section 4 of this chapter. The auditor of state shall administer the fund.

1 **(b) The expenses of administering the fund shall be paid from**
 2 **money in the fund.**

3 **(c) The treasurer of state shall invest the money in the fund**
 4 **not currently needed to meet the obligations of the fund in the**
 5 **same manner as other public money may be invested.**

6 **(d) Money in the fund at the end of a state fiscal year does not**
 7 **revert to the state general fund.**

8 **Sec. 10. There is annually appropriated from the state general**
 9 **fund to the PILOT transfer fund the amount necessary to make**
 10 **the distributions required by this chapter.**

11 **Sec. 11. There is continuously appropriated from the PILOT**
 12 **transfer fund an amount necessary to make the distributions**
 13 **required by this chapter."**

14 Page 110, between lines 3 and 4, begin a new paragraph and insert:

15 **"SECTION 88. [EFFECTIVE JULY 1, 2004] (a) A payment in lieu**
 16 **of taxes is first due under IC 6-1.1-21.3, as added by this act, on**
 17 **May 1, 2005.**

18 **(b) In cooperation with the auditor of state, the department of**
 19 **local government finance shall, not later than August 1, 2004,**
 20 **prescribe a form for the auditor of state to report the information**
 21 **needed to carry out IC 6-1.1-21.3-6, as added by this act.**

22 **(c) This SECTION expires January 1, 2006."**

23 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed November 18, 2003.)

Representative Koch